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C O N F I D E N T I A L SECTION 01 OF 04 BEIRUT 000349

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [LE](#) [IS](#) [SY](#) [SA](#)  
SUBJECT: LEBANON: BERRI DESCRIBES NEW PLAN TO RESOLVE  
CRISIS; SINIORA DISSECTS IT

Classified By: Ambassador Jeffrey D. Feltman. reason: Section 1.4 (b)

SUMMARY

1. (C) Nabih Berri described a "new" plan as the last opportunity for Lebanon to avoid serious civil disobedience. He said that all sides (except possibly Michel Aoun) would emerge with their non-negotiable objectives intact. Under the Berri plan, the pro-government March 14 and opposition March 8 alliances would each appoint two representatives to a committee that would attempt to reach consensus on only two issues (in sequence): the Special Tribunal, and a new cabinet based on the straight 19-11 formula. Berri stated that the opposition's previous demand for early parliamentary elections has been dropped. If agreement can be reached on the tribunal and a new cabinet, Berri insists he can guarantee that opposition cabinet members will not be allowed to bring down the government or prevent cabinet quorum by absences. The Ambassador, following his 3/6 meeting with Berri, discussed the Berri plan with PM Siniora and his senior advisors. Siniora essentially sees a trap: both Syria and Hizballah understand that only a fool would accept 11 opposition members in the cabinet, because such a government, even if it were allowed to keep meeting, would be permanently deadlocked on any issue of importance. Siniora understands the risks of rejecting Berri's proposal (he, March 14, and the U.S. will be accused of blocking progress). Siniora, therefore, will attempt to exploit Berri's offer in whatever way he can, without giving in to the 19-11 cabinet. End summary.

2. (C) The Ambassador met with Speaker Nabih Berri on March 6 at the speaker's offices in Ain el Tine in West Beirut. Close Berri advisor Ali Hamdan attended the meeting, as did the Embassy's Special Assistant. Berri had just returned from a visit to Europe and remarked that as his plane was arriving last Thursday evening (3/1), Saudi Arabia's ambassador to Lebanon Abdulaziz Khoja was about to depart for Riyadh in response to a summons from King Abdullah. Berri said he and Khoja were able to exchange views on recent developments. Berri put a positive spin on the tone of his meeting with Khoja, and throughout his discussion with the Ambassador, tried to give the impression that the March 8 opposition genuinely wanted an end to the political impasse and that Khoja was on board with his ideas. Immediately following this meeting, the Ambassador and Special Assistant met with Prime Minister Fouad Siniora and his senior advisors Mohamed Chatah and Rola Nouraddine in the still-heavily fortified Grand Serail. Siniora was skeptical, verging on

hostile, to Berri's presentation.

#### BERRI'S PLAN AND OPTIMISTIC ANALYSIS

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13. (C) Berri explained that no one wanted to wait for the Arab Summit scheduled for the end of March. He argued that all the pieces were now in place for a streamlined, expeditious resolution of Lebanon's stalemate. His most notable news was that the March 8 opposition forces would be dropping their demand for early parliamentary elections. (Berri neglected to mention anything about presidential elections, constitutionally scheduled for November but under increasing political threat of somehow being postponed.) In Berri's scheme, only the Special Tribunal and a new cabinet would be discussed. The speaker envisions a two-step, sequenced negotiation that would complete its work in days, rather than in the weeks that were spent in last year's ill-fated National Dialogue. He explained that each side would select two representatives who would conduct their deliberations in private; first resolving the opposition's (still unspecified) objections to the UN-GOL tribunal agreement, and then discussing and agreeing on an equitable distribution of the seats in the Council of Ministers, using the much-discussed 19-11 formula.

14. (C) In Berri's rendering, once the four-person committee (which will be advised on legal issues by specialists, including well-regarded MOJ jurists Ralph Riachi and Choukri Sadr who negotiated the tribunal documents with UN/OLA) reaches consensus on the tribunal and then the new, 30-minister cabinet, the respective agreements will be sent to a larger Dialogue Committee comprising the 14 principal parliamentary leaders for a simple up/down vote. Berri assumes that because the agreements will be negotiated by

BEIRUT 00000349 002 OF 004

trusted representatives of the respective camps, the approval by the larger Dialogue Committee will be a given. Both deals will be signed at the same time and once approved by the cabinet will be sent to President Emile Lahoud for his signature, which according to Berri is also an (unexplained) certainty. The decree authorizing the Special Tribunal will then go to parliament where Berri promises it will be put to an expedited (no assignment to committee) direct vote by the delegates, with the final document being immediately dispatched to the UN Security Council. From start to finish, Berri confidently predicted would take no more than ten days.

#### TWO GUARANTEES

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15. (C) According to Berri, the key to this process succeeding is the provision of two guarantees to the March 14 alliance. First, opposition members of the cabinet will not be permitted to use their blocking majority to dissolve the government, either by resignation or by boycotting (to deny quorum). Second, the agreed-upon tribunal text would be sent to the UNSC immediately upon formation of the new government (after approval of the new cabinet). With regard to the make-up of the new cabinet, Speaker Berri stated unequivocally that if March 14 desired, PM Siniora would remain in his position. The speaker also declared that the opposition had no objection to any particular current minister, but that each side would have to make appointments within the confines of their respective allocation of seats (i.e., 19-11).

16. (C) Berri claimed that these guarantees should answer the long-held concerns of March 14 that giving a blocking minority to the opposition was tantamount to political suicide. He said these assurances would be made public upon the establishment of the new government and would implicitly form a new political contract, which if broken, would render the government illegitimate.

¶7. (C) A final point, which would not be part of the core solution, was that Berri said a commitment should also be made that once parliament convenes, the cabinet should send the delegates a draft electoral law that they would debate and approve as soon as possible. Berri did not indicate whether passage of such a law would require immediate new parliamentary elections. (Note: This commitment may reflect a concession by the opposition to Michel Aoun, who has long argued that the present parliament does not accurately represent either the Christian community at large or that of Aoun's Free Patriotic Movement in particular. There really isn't much else in this proposal that favors Aoun, beyond some of the 11 ministerial seats allocated to the opposition going to Aoun -- something long promised by March 8 and March 14 alike, and hardly something at this point that will excite the General's followers. End note.)

¶8. (C) In Berri's fairly impassioned presentation, all the stars are now aligned for this plan to succeed. He argued long and hard that Lebanon's citizenry is exhausted from the political tension that is now approaching two years. Berri maintained (without a trace of irony) that political unrest, economic dislocations, and a pervasive sense of uncertainty make any foray into "civil disobedience" -- which is now threatened by several opposition leaders -- an extremely dangerous course for the country. He said the greatest obstacle to reaching an agreement was the near total absence of trust between the opposing factions, but he insisted that those concerns should be met by his proposal. Berri intimated that he was putting himself at some risk by even proposing this plan, but claimed that there was now almost no alternative.

¶9. (C) Berri earnestly asked for U.S. assistance in persuading March 14 to consider his proposal seriously, and said he remained open to modifications if that would move the endeavor forward. But he did caution that time was short and that recent momentum from several sources may dissipate unless the opportunity is seized. We responded that, for the United States, the heart of the matter was the judicial integrity of the special tribunal: we wanted a credible tribunal established, and we looked at everything in that context.

PM SINIORA VERY SKEPTICAL  
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BEIRUT 00000349 003 OF 004

¶10. Immediately following this lengthy conversation, the Ambassador met with Prime Minister Siniora to discuss Berri's plan. Siniora seemed aware of most of its elements. After carefully listening to the Ambassador's description, Siniora paused for several moments before responding. Although the prime minister admitted Berri had made some interesting points, he stated flatly that accepting the 19-11 formula was essentially giving the government and the future of Lebanon to the opposition -- and that he simply could not agree to that. He explained that even though 19-11 was exceedingly close to his own 19-10-1 proposal, acceding to Berri (and Syria) at this point would set a dangerous precedent that would almost inevitably destroy Lebanon's struggling democracy. The government would have "two heads" -- the PM, as head of the 19, and a shadow PM, as head of the 11. With regard to Berri's purported "guarantees," Siniora asked how could he turn over his government and expect a core member of the opposition to protect a new, seriously weakened reform government from constant harassment and deadlock.

¶11. (C) Ambassador Chatah interjected that the negative "psychological impact" of giving in to intimidation (Berri himself admitted that the opposition had no intention of ending its threatening street presence in downtown Beirut until it was sitting in the cabinet) would be considerable. Even if the hard-to-believe Berri guarantees turned out to be genuine, the "perception" of surrendering the Siniora

government to the street would seriously undermine the vulnerable reform process. The second major flaw in the concept was its failure to address the pro-Syrian presidency of Emile Lahoud. Chatah admitted that no one foresaw the difficulties that Lahoud would cause, from necessary appointments, to diplomatic embarrassments, to simple governance issues. Chatah maintained that if Lahoud were replaced with even a neutral figure, democracy would have a far better chance for success in Lebanon.

¶12. (C) Chatah offered two examples of the sorts of proposals that he thought would make for a more credible package that also had something for the March 14 side. First, he said, it should be clear that the reservations on the tribunal did not include the deal-breaker often cited by March 8 politicians, that there be no tribunal until the investigation is complete. Why can't the March 8 politicians share all of their concerns on the tribunal now, independently of the rest of the package going forward? Second, Berri should give assurances that he accepts the common constitutional interpretation that the presidential elections in autumn only need the normal one-half-plus-one quorum. That would signal that Berri accepts presidential elections on time, even without a consensus candidate emerging. Instead, Berri has hinted that he thinks presidential elections require a super-quorum of two-thirds, giving the opposition the opportunity to boycott any parliamentary session if the likely successful candidate is unacceptable to Syria.

¶13. (C) Finally, Siniora asked where exactly would Berri's proposal lead the country? The type of national unity government that would likely result from this plan would be unwieldy and prone to deadlock. At this critical stage, Siniora argued that it would be far better for the pro-reform forces to stick to their core beliefs and resist this superficially attractive opportunity to end the crisis. Siniora concluded that it would offer a short-term solution, but would almost assuredly produce serious long-term crisis.

¶14. (C) PM Siniora agreed with the Ambassador that the opposition appeared to be writing a script that was a well-constructed "set-up" that skillfully exploited the very real fatigue of the Lebanese people. Siniora said they were already working on a response that would try to take advantage of the opposition's newly-discovered scruples, but at the same time preserve the tenuous, but critically important, hold on democratic power by pro-reform forces.

COMMENT

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¶15. (C) Neither Berri nor Siniora talked much about the context in which the Berri proposal has been most discussed in the past 48 hours: Saudi Arabian Ambassador Abdulaziz Khoja explored with several Lebanese politicians the idea of convening the Lebanese National Dialogue in Saudi Arabia to discuss the tribunal and the cabinet expansion proposals. Berri clearly hoped that Saudi Arabia would have, as a

BEIRUT 00000349 004 OF 004

condition of the invitation, acceptance of the principle of the 19-11 cabinet split, which would corner the March 14 politicians: when Lebanese average citizens are so desperate for a solution to this political crisis, do the March 14 politicians risk appearing rigid and unreasonable by rejecting an invitation to sit and talk? While we do not know what Saudi Arabia's views are of Berri's ideas -- the Ambassador was scheduled to see Khoja today, but the meeting was canceled when Khoja was summoned back to the kingdom for consultations -- Berri has certainly been hinting that his ideas would provide the framework for the talks in Saudi Arabia. This in itself sets up an unhelpful dynamic for March 14 leaders: would they dare defy their Saudi hosts, who presumably would love some kind of Lebanese "Mecca" deal prior to the Arab summit, by saying no? What really seemed

to annoy Siniora was that the Saudis did not seem to be demanding a price for admission from the March 8 side -- something along the lines of coming clean now with the tribunal reservations or removing the tents and sit-in from central Beirut immediately.

¶16. (C) In terms of the actual proposal, Berri did a better-than-usual job of pitching it in terms of March 14 sensibilities. In essence, March 14 has already conceded the idea of a cabinet split along the lines of 19-10-1 (which makes it impossible for March 14 alone to push through government decrees, which require two-thirds for major decisions or to overturn presidential vetoes). Moreover, most March 14 leaders have even accepted the idea that the cabinet can be publicly presented as a 19-11 split, with quiet guarantees under the table about one of those 11 opposition ministers actually playing a neutral role. So, even under March 14 ideas, March 8 will be able to claim publicly that it got its demands met for the cabinet allocations. What Berri has proposed is to drop the under-the-table guarantees and trade them for a straight 19-11 split that has public guarantees that would (in theory) preclude cabinet resignations and boycotts. While he didn't say this explicitly, the implication of his proposal is that public guarantees signed by the 14 key participants in the National Dialogue would ultimately be more valuable than any private assurances he would offer about how one so-called neutral minister would operate in what would be publicly presented as a 19-11 cabinet. Of course, the devil is in the details, and Berri is a wily fox who will use details to his advantage.

¶17. (C) In the meantime, Saad Hariri, working with some of his advisors and consulting with PM Siniora and Walid Jumblatt (and perhaps others), has developed a six-page commentary on the Berri proposals, which we understand Saad presented to the Saudis early this morning -- and which presumably prompted the call for Khoja's return for consultations. We have just received a copy of this document, which echoes and elaborates on Siniora's reservations. But it goes further: it makes some proposals of its own. One we find particularly intriguing is Saad's proposal to the Saudis that Hizballah commit itself to taking no unilateral military or security initiatives without cabinet approval. We will translate and forward this document septel. In the meantime, we believe that it will start to dawn on Berri that his great scheme of having the Saudis accept his ideas as the basis for talks, in which Berri could corner March 14 politicians into acceptance of his approach, isn't working. And we are bracing ourselves for being set up as among those spoiling the deal. We predict that Walid Jumblatt's consultations in Washington are about to take on new significance in March 8 circles, as the pro-Syrians look to assign blame.

FELTMAN